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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 433/93

of 26 February 1993

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 3873/92⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 25 February 1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3873/92 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 118.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(?)
0709 90 60	136,97 ^(?) ^(?)
0712 90 19	136,97 ^(?) ^(?)
1001 10 00	177,96 ⁽¹⁾ ^(?) ⁽¹⁰⁾
1001 90 91	139,38
1001 90 99	139,38 ⁽¹¹⁾
1002 00 00	150,32 ⁽⁶⁾
1003 00 10	126,68
1003 00 20	126,68
1003 00 80	126,68 ⁽¹¹⁾
1004 00 00	115,90
1005 10 90	136,97 ^(?) ^(?)
1005 90 00	136,97 ^(?) ^(?)
1007 00 90	137,92 ⁽⁴⁾
1008 10 00	47,35 ⁽¹¹⁾
1008 20 00	82,02 ⁽⁴⁾
1008 30 00	37,68 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	37,68
1101 00 00	207,85 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	223,13 ⁽⁸⁾
1103 11 30	288,07 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 50	288,07 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	223,33 ⁽⁸⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

⁽⁹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

⁽¹⁰⁾ An amount equal to the amount fixed by Regulation (EEC) No 1825/91 (OJ No L 166, 26. 6. 1991, p. 42) is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

⁽¹¹⁾ Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 434/93**of 26 February 1993****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3874/92 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 25

February 1993, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 121.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	5,41	5,39	4,39
0712 90 19	0	5,41	5,39	4,39
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	5,41	5,39	4,39
1005 90 00	0	5,41	5,39	4,39
1007 00 90	0	6,20	6,25	8,83
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	10,51	10,43	10,51
1008 90 90	0	10,51	10,43	10,51
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 435/93
of 26 February 1993
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Spain and
Portugal,

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 674/92 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC)
No 833/87 of 23 March 1987 laying down detailed rules
for the application of Council Regulation (EEC)
No 3877/86 on imports of rice of the long-grain aromatic
Basmati variety falling within CN codes 1006 10, 1006 20
and 1006 30 ⁽³⁾, as last amended by Regulation (EEC)
No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were
fixed by Commission Regulation (EEC) No 3863/92 ⁽⁵⁾, as
last amended by Regulation (EEC) No 381/93 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in
Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76
shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 390, 31. 12. 1992, p. 89.

⁽⁶⁾ OJ No L 43, 20. 2. 1993, p. 28.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP) (⁽⁴⁾)
1006 10 21	—	153,43	314,07
1006 10 23	—	164,30	335,81
1006 10 25	—	164,30	335,81
1006 10 27	251,86	164,30	335,81
1006 10 92	—	153,43	314,07
1006 10 94	—	164,30	335,81
1006 10 96	—	164,30	335,81
1006 10 98	251,86	164,30	335,81
1006 20 11	—	192,69	392,59
1006 20 13	—	206,28	419,76
1006 20 15	—	206,28	419,76
1006 20 17	314,82	206,28	419,76
1006 20 92	—	192,69	392,59
1006 20 94	—	206,28	419,76
1006 20 96	—	206,28	419,76
1006 20 98	314,82	206,28	419,76
1006 30 21	—	238,61	501,07 (⁽⁵⁾)
1006 30 23	—	289,82	603,42 (⁽⁵⁾)
1006 30 25	—	289,82	603,42 (⁽⁵⁾)
1006 30 27	452,57 (⁽⁵⁾)	289,82	603,42 (⁽⁵⁾)
1006 30 42	—	238,61	501,07 (⁽⁵⁾)
1006 30 44	—	289,82	603,42 (⁽⁵⁾)
1006 30 46	—	289,82	603,42 (⁽⁵⁾)
1006 30 48	452,57 (⁽⁵⁾)	289,82	603,42 (⁽⁵⁾)
1006 30 61	—	254,47	533,64 (⁽⁵⁾)
1006 30 63	—	311,08	646,87 (⁽⁵⁾)
1006 30 65	—	311,08	646,87 (⁽⁵⁾)
1006 30 67	485,15 (⁽⁵⁾)	311,08	646,87 (⁽⁵⁾)
1006 30 92	—	254,47	533,64 (⁽⁵⁾)
1006 30 94	—	311,08	646,87 (⁽⁵⁾)
1006 30 96	—	311,08	646,87 (⁽⁵⁾)
1006 30 98	485,15 (⁽⁵⁾)	311,08	646,87 (⁽⁵⁾)
1006 40 00	—	68,98	143,97

(⁽¹⁾) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(⁽²⁾) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

(⁽⁵⁾) The levy on imports into Portugal is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3778/91 (OJ No L 356, 24. 12. 1991, p. 46).

(⁽⁶⁾) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

(⁽⁷⁾) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 436/93**of 26 February 1993****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Spain and
Portugal,

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 674/92 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice
and broken rice were fixed by Commission Regulation
(EEC) No 3862/92 ⁽³⁾, as last amended by Regulation
(EEC) No 382/93 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward
delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the
amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums to be added to the import levies fixed in
advance in respect of rice and broken rice originating in
third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 86.

⁽⁴⁾ OJ No L 43, 20. 2. 1993, p. 30.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 3	1st period 4	2nd period 5	3rd period 6
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 437/93

of 26 February 1993

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Council Regulation (EEC) No 1738/92 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of

the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁷⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁸⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 17.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1993 altering the corrective amount fixing applicable to the refund on malt

(ECU/tonne)

Product code	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period 9	7th period 10	8th period 11	9th period 12	10th period 1	11th period 2
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 438/93

of 26 February 1993

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 674/92⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽²⁾;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 1432/92⁽³⁾, as last amended by Regulation (EEC) No 3534/92⁽⁴⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does

not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁴⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 100 (2)	122,21	1104 23 10 900	—
1102 20 10 300 (2)	104,75	1104 29 11 000	73,10
1102 20 10 900 (2)	—	1104 29 15 000	—
1102 20 90 100 (2)	104,75	1104 29 19 000	—
1102 20 90 900 (2)	—	1104 29 91 000	71,67
1102 30 00 000	—	1104 29 95 000	96,24
1102 90 10 100	91,65	1104 30 10 000	17,92
1102 90 10 900	62,32	1104 30 90 000	21,82
1102 90 30 100	194,96	1107 10 11 000	127,57
1102 90 30 900	—	1107 10 91 000	108,76
1103 12 00 100	194,96	1108 11 00 200	143,34
1103 12 00 900	—	1108 11 00 300	143,34
1103 13 10 100 (2)	157,12	1108 11 00 800	—
1103 13 10 300 (2)	122,21	1108 12 00 200	139,66
1103 13 10 500 (2)	104,75	1108 12 00 300	139,66
1103 13 10 900 (2)	—	1108 12 00 800	—
1103 13 90 100 (2)	104,75	1108 13 00 200	139,66
1103 13 90 900 (2)	—	1108 13 00 300	139,66
1103 14 00 000	—	1108 13 00 800	—
1103 19 10 000	96,24	1108 14 00 200	—
1103 19 30 100	94,71	1108 14 00 300	—
1103 19 30 900	—	1108 14 00 800	—
1103 21 00 000	73,10	1108 19 10 200	131,27
1103 29 20 000	62,32	1108 19 10 300	131,27
1103 29 30 000	—	1108 19 10 800	—
1103 29 40 000	—	1108 19 90 200	—
1104 11 90 100	91,65	1108 19 90 300	—
1104 11 90 900	—	1108 19 90 800	—
1104 12 90 100	216,62	1109 00 00 100	0,00
1104 12 90 300	173,30	1109 00 00 900	—
1104 12 90 900	—	1702 30 51 000	182,44
1104 19 10 000	73,10	1702 30 59 000	139,66
1104 19 50 110	139,66	1702 30 91 000	182,44
1104 19 50 130	113,48	1702 30 99 000	139,66
1104 19 50 150	—	1702 40 90 000	139,66
1104 19 50 190	—	1702 90 50 100	182,44
1104 19 50 900	—	1702 90 50 900	139,66
1104 19 91 000	—	1702 90 75 000	191,17
1104 21 10 100	91,65	1702 90 79 000	132,68
1104 21 10 900	—	2106 90 55 000	139,66
1104 21 30 100	91,65	2302 10 10 000	17,60
1104 21 30 900	—	2302 10 90 100	17,60
1104 21 50 100	122,20	2302 10 90 900	—
1104 21 50 300	97,76	2302 20 10 000	17,60
1104 21 50 900	—	2302 20 90 100	17,60
1104 22 10 100	173,30	2302 20 90 900	—
1104 22 10 900	—	2302 30 10 000	17,60
1104 22 30 100	184,13	2302 30 90 000	17,60
1104 22 30 900	—	2302 40 10 000	17,60
1104 22 50 000	—	2302 40 90 000	17,60
1104 23 10 100	130,94	2303 10 11 100	69,83
1104 23 10 300	100,38	2303 10 11 900	—

(1) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

(2) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EEC) No 439/93

of 26 February 1993

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular the fourth subparagraph of Article 16 ⁽²⁾ thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs ⁽⁴⁾, as last amended by Regulation (EEC) No 944/87 ⁽⁵⁾, provides that, when export refunds on cereal-based compound

feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs ⁽⁶⁾, as last amended by Regulation (EEC) No 3630/91 ⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁸⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁹⁾;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 344, 14. 12. 1991, p. 40.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 17.

Whereas the refund must be fixed once a month ;
whereas it may be altered in the intervening period ;

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as last amended by Regulation (EEC) No 3534/92 ⁽²⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro ; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3 ; whereas this should be taken into account when refunds are fixed ;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the export refunds on
cereal-based compound feedingstuffs

(ECU/tonne)		(ECU/tonne)	
Product code	Amount of refund (°)	Product code	Amount of refund (°)
2309 10 11 110	4,36	2309 90 53 290	5,89
2309 10 13 110	4,36	2309 10 11 310	17,46
2309 10 31 110	4,36	2309 10 13 310	17,46
2309 10 33 110	4,36	2309 10 31 310	17,46
2309 10 51 110	4,36	2309 10 33 310	17,46
2309 10 53 110	4,36	2309 10 51 310	17,46
2309 90 31 110	4,36	2309 10 53 310	17,46
2309 90 33 110	4,36	2309 90 31 310	17,46
2309 90 41 110	4,36	2309 90 33 310	17,46
2309 90 43 110	4,36	2309 90 41 310	17,46
2309 90 51 110	4,36	2309 90 43 310	17,46
2309 90 53 110	4,36	2309 90 51 310	17,46
2309 10 11 190	2,94	2309 90 53 310	17,46
2309 10 13 190	2,94	2309 10 11 390	11,77
2309 10 31 190	2,94	2309 10 13 390	11,77
2309 10 33 190	2,94	2309 10 31 390	11,77
2309 10 51 190	2,94	2309 10 33 390	11,77
2309 10 53 190	2,94	2309 10 51 390	11,77
2309 90 31 190	2,94	2309 10 53 390	11,77
2309 90 33 190	2,94	2309 90 31 390	11,77
2309 90 41 190	2,94	2309 90 33 390	11,77
2309 90 43 190	2,94	2309 90 41 390	11,77
2309 90 51 190	2,94	2309 90 43 390	11,77
2309 90 53 190	2,94	2309 90 51 390	11,77
2309 10 11 210	8,73	2309 90 53 390	11,77
2309 10 13 210	8,73	2309 10 31 410	26,19
2309 10 31 210	8,73	2309 10 33 410	26,19
2309 10 33 210	8,73	2309 10 51 410	26,19
2309 10 51 210	8,73	2309 10 53 410	26,19
2309 10 53 210	8,73	2309 90 41 410	26,19
2309 90 31 210	8,73	2309 90 43 410	26,19
2309 90 33 210	8,73	2309 90 51 410	26,19
2309 90 41 210	8,73	2309 90 53 410	26,19
2309 90 43 210	8,73	2309 10 31 490	17,66
2309 90 51 210	8,73	2309 10 33 490	17,66
2309 90 53 210	8,73	2309 10 51 490	17,66
2309 10 11 290	5,89	2309 10 53 490	17,66
2309 10 13 290	5,89	2309 90 41 490	17,66
2309 10 31 290	5,89	2309 90 43 490	17,66
2309 10 33 290	5,89	2309 90 51 490	17,66
2309 10 51 290	5,89	2309 90 53 490	17,66
2309 10 53 290	5,89	2309 10 31 510	34,92
2309 90 31 290	5,89	2309 10 33 510	34,92
2309 90 33 290	5,89	2309 10 51 510	34,92
2309 90 41 290	5,89	2309 10 53 510	34,92
2309 90 43 290	5,89	2309 90 41 510	34,92
2309 90 51 290	5,89	2309 90 43 510	34,92

(ECU/tonne)		(ECU/tonne)	
Product code	Amount of refund (¹)	Product code	Amount of refund (¹)
2309 90 51 510	34,92	2309 10 53 690	29,44
2309 90 53 510	34,92	2309 90 41 690	29,44
2309 10 31 590	23,55	2309 90 43 690	29,44
2309 10 33 590	23,55	2309 90 51 690	29,44
2309 10 51 590	23,55	2309 90 53 690	29,44
2309 10 53 590	23,55	2309 10 51 710	52,37
2309 90 41 590	23,55	2309 10 53 710	52,37
2309 90 43 590	23,55	2309 90 51 710	52,37
2309 90 51 590	23,55	2309 90 53 710	52,37
2309 90 53 590	23,55	2309 10 51 790	35,32
2309 10 31 610	43,65	2309 10 53 790	35,32
2309 10 33 610	43,65	2309 90 51 790	35,32
2309 10 51 610	43,65	2309 90 53 790	35,32
2309 10 53 610	43,65	2309 10 51 810	61,10
2309 90 41 610	43,65	2309 10 53 810	61,10
2309 90 43 610	43,65	2309 90 51 810	61,10
2309 90 51 610	43,65	2309 90 53 810	61,10
2309 90 53 610	43,65	2309 10 51 890	41,21
2309 10 31 690	29,44	2309 10 53 890	41,21
2309 10 33 690	29,44	2309 90 51 890	41,21
2309 10 51 690	29,44	2309 90 53 890	41,21

(¹) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

NB : The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

COMMISSION REGULATION (EEC) No 440/93
of 26 February 1993
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 11a ⁽⁵⁾ thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽³⁾, as last amended by Regulation (EEC) No 1309/92 ⁽⁴⁾ and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EEC) No 1398/91 ⁽⁶⁾, provides that the production refund is to be fixed one per month; whereas the same Article provides for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with Regulation (EEC) No 2169/86 as amended shall be as follows in ECU 134,18 per tonne.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 139, 22. 5. 1992, p. 47.

⁽⁵⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁶⁾ OJ No L 134, 29. 5. 1991, p. 19.

COMMISSION REGULATION (EEC) No 441/93

of 26 February 1993

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas export possibilities exist for a quantity of 5 000 tonnes of wholly milled rice, falling within CN codes 1006 30 94 900 and 1006 30 96 900 to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89⁽⁴⁾, as last amended by Regulation (EEC) No 3570/92⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Commission Regulation (EEC) No 1361/76⁽⁶⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁸⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 362, 11. 12. 1992, p. 51.

⁽⁶⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 17.

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as last amended by Regulation (EEC) No 3534/92 ⁽²⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the export refunds on rice and broken rice

(ECU / tonne)			(ECU / tonne)		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	197,00	1006 30 65 100	01	247,00
1006 20 13 000	01	197,00		02	253,00
1006 20 15 000	01	197,00		03	258,00
1006 20 17 000	—	—		04	247,00
1006 20 92 000	01	197,00	1006 30 65 900	01	247,00
1006 20 94 000	01	197,00		04	247,00
1006 20 96 000	01	197,00	1006 30 67 100	—	—
1006 20 98 000	—	—	1006 30 67 900	—	—
1006 30 21 000	01	197,00	1006 30 92 100	01	247,00
1006 30 23 000	01	197,00		02	253,00
1006 30 25 000	01	197,00		03	258,00
1006 30 27 000	—	—		04	247,00
1006 30 42 000	01	197,00	1006 30 92 900	01	247,00
1006 30 44 000	01	197,00		04	247,00
1006 30 46 000	01	197,00	1006 30 94 100	01	247,00
1006 30 48 000	—	—		02	253,00
1006 30 61 100	01	247,00		03	258,00
	02	253,00		04	247,00
	03	258,00	1006 30 94 900	01	247,00
	04	247,00		04	247,00
1006 30 61 900	01	247,00		05	290,00
	04	247,00	1006 30 96 100	01	247,00
1006 30 63 100	01	247,00		02	253,00
	02	253,00		03	258,00
	03	258,00		04	247,00
	04	247,00	1006 30 96 900	01	247,00
1006 30 63 900	01	247,00		04	247,00
	04	247,00		05	290,00
			1006 30 98 100	—	—
			1006 30 98 900	—	—
			1006 40 00 000	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87,

05 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of 5 000 tonnes of white rice destined for Algeria.

(2) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EEC) No 442/93

of 26 February 1993

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas export possibilities exist for a quantity of 5 000 tonnes of wholly milled rice, falling within CN codes 1006 30 94 900 and 1006 30 96 900 to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽⁵⁾, as last amended by Regulation (EEC) No 3570/92 ⁽⁶⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas

the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁷⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁸⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁹⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 362, 11. 12. 1992, p. 51.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 17.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1993 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (°)	Current 3	1st period 4	2nd period 5	3rd period 6
1006 20 11 000	01	0	0	0	0
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	01	0	0	0	0
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	01	0	0	0	0
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	01	0	0	0	0
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 3	1st period 4	2nd period 5	3rd period 6
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
	05	0	0	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
	05	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and zone VIII, except Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87.

05 Restitution laid down in accordance with the procedure of Article 9 (4) of Regulation (EEC) No 891/89, as amended, for a quantity of 5 000 tonnes of bleached rice designated for Algeria.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EEC) No 443/93

of 26 February 1993

setting the amounts of aid for the supply of rice products from the Community
to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1695/92⁽³⁾, as amended by Regulation (EEC) No 2132/92⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands; whereas Commission Regulation (EEC) No 1997/92 of 17 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Canary Islands and establishing the forecast supply balance for these products⁽⁵⁾, as amended by Regulation (EEC) No 399/93⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾ are

used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁸⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 213, 29. 7. 1992, p. 25.

⁽⁵⁾ OJ No L 199, 18. 7. 1992, p. 20.

⁽⁶⁾ OJ No L 46, 24. 2. 1993, p. 5.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 26 February 1993 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

Product (CN code)	<i>(ECU/tonne)</i>	
	Amount of aid	
	Canary Islands	
Milled rice (1006 30)	261,00	
Broken rice (1006 40)	57,00	

COMMISSION REGULATION (EEC) No 444/93

of 26 February 1993

setting the amounts of aid for the supply of rice products from the Community
to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾, as amended by Regulation (EEC) No 2132/92 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products ⁽⁵⁾ lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁶⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁷⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ No L 213, 29. 7. 1992, p. 25.

⁽⁵⁾ OJ No L 198, 17. 7. 1992, p. 37.

⁽⁶⁾ OJ No L 378, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 26 February 1993 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(ECU/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	261,00	261,00

COMMISSION REGULATION (EEC) No 445/93**of 26 February 1993****amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EEC) No 191/93 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 22, 30. 1. 1993, p. 89.

ANNEX

to the Commission Regulation of 26 February 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	64,00	64,00	64,00	67,00
Barley (1003 00 80)	84,00	84,00	84,00	87,00
Maize (1005 90 00)	99,00	99,00	99,00	102,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EEC) No 446/93**of 26 February 1993****amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EEC) No 192/93 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ No L 22, 30. 1. 1993, p. 91.

ANNEX

to the Commission Regulation of 26 February 1993 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(Ecu/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Common wheat (1001 90 99)	61,00	61,00
Barley (1003 00 80)	81,00	81,00
Maize (1005 90 00)	96,00	96,00
Durum wheat (1001 10 00)	122,00	122,00

COMMISSION REGULATION (EEC) No 447/93**of 26 February 1993****amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, and in particular Article 3 (4) thereof,

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92⁽³⁾ as last amended by Regulation (EEC) No 193/93⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

The Annex of Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ No L 22, 30. 1. 1993, p. 93.

ANNEX

to the Commission Regulation of 26 February 1993 amending Regulation (EEC)
No 1832/92 setting the amounts of aid for the supply of cereals products from the
Community to the Canary Islands

(Ecu/tonne)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	61,00
Barley	(1003 00 80)	81,00
Maize	(1005 90 00)	96,00
Durum wheat	(1001 10 00)	122,00
Oats	(1004 00 00)	81,00

COMMISSION REGULATION (EEC) No 448/93

of 26 February 1993

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by

at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 1738/92 ⁽⁶⁾ for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽⁷⁾, no levies shall apply on imports of products originating in the overseas countries and territories; whereas, however, pursuant to Article 101 (4) of the abovementioned Decision, a special amount shall be charged on imports of certain products originating in the overseas countries and territories in order to prevent products originating from these countries and territories from receiving more favourable treatment than similar products imported from Spain or Portugal into the Community as constituted on 31 December 1985;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽²⁾;

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1993 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4471	—
1702 20 90	0,4471	—
1702 30 10	—	54,38
1702 40 10	—	54,38
1702 60 10	—	54,38
1702 60 90	0,4471	—
1702 90 30	—	54,38
1702 90 60	0,4471	—
1702 90 71	0,4471	—
1702 90 90	0,4471	—
2106 90 30	—	54,38
2106 90 59	0,4471	—

⁽¹⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

COMMISSION REGULATION (EEC) No 449/93**of 26 February 1993****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 3814/92⁽²⁾, and in particular Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1684/92⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88⁽⁹⁾;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽²⁾;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 1432/92 ⁽³⁾, as last amended by Regulation (EEC) No 3534/92 ⁽⁴⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative

enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁴⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	38,06 ⁽²⁾ ⁽³⁾
1702 60 10 000	38,06 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3806 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	38,06 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3806 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3806 ⁽¹⁾ ⁽³⁾
1702 90 90 900	0,3806 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
2106 90 30 000	38,06 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3806 ⁽¹⁾ ⁽³⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

⁽³⁾ Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 252/93 (OJ No L 28, 5. 2. 1993, p. 48).

COMMISSION REGULATION (EEC) No 450/93

of 26 February 1993

fixing the amount of aid for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1750/92⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1734/92⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1992/93 marketing year was fixed by Council Regulation (EEC) No 1751/92⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1752/92⁽⁸⁾;

Whereas the abatement of the subsidy which arises from the system of maximum guaranteed quantities for the 1992/93 year, has been fixed by Commission Regulation (EEC) No 2512/92⁽⁹⁾, as amended by Regulation (EEC) No 2752/92⁽¹⁰⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas Commission Regulation (EEC) No 3328/92⁽¹⁴⁾ limits the validity of the certificate provided for in Article 4 of Council Regulation (EEC) No 2036/82 to 30 June 1993;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁵⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽¹⁶⁾;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 120.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 20.

⁽⁹⁾ OJ No L 250, 29. 8. 1992, p. 15.

⁽¹⁰⁾ OJ No L 279, 23. 9. 1992, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁴⁾ OJ No L 334, 19. 11. 1992, p. 17.

⁽¹⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁶⁾ OJ No L 387, 31. 12. 1992, p. 17.

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1899/91⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas Article 26a of Regulation (EEC) No 3540/92 has been repealed in accordance with Article 2 of Commission Regulation (EEC) No 3820/92⁽²⁾; whereas the Commission therefore publishes in the *Official Journal*

of the *European Communities* only the gross amount of aid, expressed in ecus, to be granted for 100 kilograms of the product, as soon as it is fixed; whereas the gross aid in ecus resulting from Article 3 of Regulation (EEC) No 1431/82 is to be converted directly into the national currencies at the agricultural conversion rate valid on the day of identification in the Member State in which the products are used,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 169, 29. 6. 1991, p. 29.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 22.

ANNEX

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	
Peas used :					
— in Portugal	11,666	11,824	11,824	11,824	
— in another Member State	11,666	11,824	11,824	11,824	
Field beans used :					
— in Portugal	11,666	11,824	11,824	11,824	
— in another Member State	11,666	11,824	11,824	11,824	

Products used in animal feed :

(ECU per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	
A. Peas used :					
— in Portugal	12,595	12,909	13,096	13,096	
— in another Member State	12,595	12,909	13,096	13,096	
B. Field beans used :					
— in Portugal	12,595	12,909	13,096	13,096	
— in another Member State	12,595	12,909	13,096	13,096	
C. Sweet lupins used :					
— in Portugal	14,884	15,093	15,343	15,343	
— in another Member State	14,884	15,093	15,343	15,343	

COMMISSION REGULATION (EEC) No 451/93

of 26 February 1993

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder ⁽¹⁾, as last amended by Regulation (EEC) No 2275/89 ⁽²⁾, and in particular Article 5 (3) thereof,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the guide price was fixed by Council Regulation (EEC) No 1379/92 ⁽³⁾ for the 1992/93 marketing year;

Whereas Council Regulation (EEC) No 1627/91 ⁽⁴⁾ sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1992/93 marketing year at 80 %;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder ⁽⁵⁾, as last amended by Regulation (EEC) No 1110/89 ⁽⁶⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those

which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder ⁽⁷⁾, as last amended by Regulation (EEC) No 1757/90 ⁽⁸⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 147, 29. 5. 1992, p. 14.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 15.

⁽⁵⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁶⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁷⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁸⁾ OJ No L 162, 28. 6. 1990, p. 21.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽²⁾;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of

Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the rate of the aid for dried fodder

Aid applicable from 1 March 1993 to dried fodder :

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried	
	Spain	Portugal	Other Member States	Portugal	Other Member States
Aid	86,220	86,220	86,220	53,280	53,280

Aid in case of advance fixing for the month of :

(ECU/tonne)

April 1993	84,937	84,937	84,937	51,997	51,997
May 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
June 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
July 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
August 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
September 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
October 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000

⁽¹⁾ Pursuant to Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 452/93
of 26 February 1993
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 2053/92 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 3868/92 ⁽⁴⁾, as last amended by Regulation (EEC) No 313/93 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3868/92 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 68,559 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 12.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 106.

⁽⁵⁾ OJ No L 36, 12. 2. 1993, p. 39.

COMMISSION REGULATION (EEC) No 453/93**of 26 February 1993****fixing the import levies on live cattle and on beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Commission Regulation (EEC) No 172/93 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 172/93 to the quotations and other information known to the Commission

that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 22, 30. 1. 1993, p. 29.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the import levies on live cattle
and on beef and veal other than frozen

(ECU/100 kg)

CN code	Croatia / Slovenia / Bosnia-Herzegovina / the territory of the former Yugoslav Republic of Macedonia (*)	Austria (*)	Sweden/Switzerland	Other third countries (*)
— Live weight —				
0102 90 05	—	17,469	32,507	134,374 (*)
0102 90 21	—	17,469	32,507	134,374 (*)
0102 90 29	—	17,469	32,507	134,374 (*)
0102 90 41	—	17,469	32,507	134,374 (*) (*)
0102 90 49	—	17,469	32,507	134,374 (*) (*)
0102 90 51	23,574	17,469	32,507	134,374 (*)
0102 90 59	23,574	17,469	32,507	134,374 (*)
0102 90 61	—	17,469	32,507	134,374 (*)
0102 90 69	—	17,469	32,507	134,374 (*)
0102 90 71	23,574	17,469	32,507	134,374 (*)
0102 90 79	23,574	17,469	32,507	134,374 (*)
— Net weight —				
0201 10 00	44,791	33,190	61,764	255,311 (*) (*)
0201 20 20	44,791	33,190	61,764	255,311 (*) (*)
0201 20 30	35,833	26,552	49,411	204,248 (*) (*)
0201 20 50	53,750	39,828	74,116	306,373 (*) (*)
0201 20 90	—	49,786	92,646	382,966 (*) (*)
0201 30 00	—	56,948	105,973	438,060 (*) (*)
0206 10 95	—	56,948	105,973	438,060 (*)
0210 20 10	—	49,786	92,646	382,966
0210 20 90	—	56,948	105,973	438,060
0210 90 41	—	56,948	105,973	438,060
0210 90 90	—	56,948	105,973	438,060
1602 50 10	—	56,948	105,973	438,060
1602 90 61	—	56,948	105,973	438,060

(*) In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

(*) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

(*) This levy is applicable only to products complying with the provisions of Commission Regulation (EEC) No 185/93.

(*) This levy is applicable only to products complying with the provisions of the Agreement between the EEC and Austria (OJ No L 111, 29. 4. 1992, p. 21).

(*) Products falling within this code, imported from Poland, the territories of the ex Czech and Slovak Federal Republic or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EEC) No 3589/92 (OJ No L 364, 12. 12. 1992, p. 28) have been presented, are subject to the levies set out in the Annex to that Regulation.

(*) Products falling within this code, imported from Poland, the territories of the ex Czech and Slovak Federal Republic or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EEC) No 247/93 (OJ No L 28, 5. 2. 1993, p. 39) have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 454/93
of 26 February 1993
fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Commission Regulation (EEC) No 173/93 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 173/93 to the quotations and other information known to the Commission

that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 22, 30. 1. 1993, p. 33.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the import levies on frozen beef and veal ⁽¹⁾ ⁽²⁾

(ECU/100 kg)	
CN code	Levy
	— Net weight —
0202 10 00	193,059 ⁽³⁾
0202 20 10	193,059 ⁽³⁾
0202 20 30	154,447 ⁽³⁾
0202 20 50	241,324 ⁽³⁾
0202 20 90	289,589 ⁽³⁾
0202 30 10	241,324 ⁽³⁾
0202 30 50	241,324 ⁽³⁾
0202 30 90	332,061 ⁽³⁾
0206 29 91	332,061

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽³⁾ Products falling within this code, imported from Poland, the territories of the ex Czech and Slovak Federal Republic or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EEC) No 3589/92 (OJ No L 364, 12. 12. 1992, p. 28) have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 455/93

of 26 February 1993

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular the Article 10 thereof,Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EEC) No 3857/92⁽³⁾, as amended by Regulation (EEC) No 138/93⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3857/92 to the quota-

tions and other information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.⁽³⁾ OJ No L 390, 31. 12. 1992, p. 73.⁽⁴⁾ OJ No L 19, 28. 1. 1993, p. 11.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat⁽¹⁾

(ECU/100 kg)

CN code	Week No 9 from 1 to 7 March 1993	Week No 10 from 8 to 14 March 1993	Week No 11 from 15 to 21 March 1993	Week No 12 from 22 to 28 March 1993	Week No 13 from 29 March to 4 April 1993
0104 10 30 ⁽¹⁾	81,324	82,236	82,692	82,692	82,236
0104 10 80 ⁽¹⁾	81,324	82,236	82,692	82,692	82,236
0104 20 90 ⁽¹⁾	81,324	82,236	82,692	82,692	82,236
0204 10 00 ⁽²⁾	173,030	174,970	175,940	175,940	174,970
0204 21 00 ⁽²⁾	173,030	174,970	175,940	175,940	174,970
0204 22 10 ⁽²⁾	121,121	122,479	123,158	123,158	122,479
0204 22 30 ⁽²⁾	190,333	192,467	193,534	193,534	192,467
0204 22 50 ⁽²⁾	224,939	227,461	228,722	228,722	227,461
0204 22 90 ⁽²⁾	224,939	227,461	228,722	228,722	227,461
0204 23 00 ⁽²⁾	314,915	318,445	320,211	320,211	318,445
0204 50 11 ⁽²⁾	173,030	174,970	175,940	175,940	174,970
0204 50 13 ⁽²⁾	121,121	122,479	123,158	123,158	122,479
0204 50 15 ⁽²⁾	190,333	192,467	193,534	193,534	192,467
0204 50 19 ⁽²⁾	224,939	227,461	228,722	228,722	227,461
0204 50 31 ⁽²⁾	224,939	227,461	228,722	228,722	227,461
0204 50 39 ⁽²⁾	314,915	318,445	320,211	320,211	318,445
0210 90 11 ⁽³⁾	224,939	227,461	228,722	228,722	227,461
0210 90 19 ⁽³⁾	314,915	318,445	320,211	320,211	318,445

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

⁽⁴⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 456/93
of 26 February 1993
fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3858/92⁽³⁾, as amended by Regulation (EEC) No 137/93⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3858/92 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 76.

⁽⁴⁾ OJ No L 19, 28. 1. 1993, p. 9.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the import levies on frozen
sheepmeat and goatmeat ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Week No 9 from 1 to 7 March 1993	Week No 10 from 8 to 14 March 1993	Week No 11 from 15 to 21 March 1993	Week No 12 from 22 to 28 March 1993	Week No 13 from 29 March to 4 April 1993
0204 30 00	176,023	177,478	178,205	178,205	177,478
0204 41 00	176,023	177,478	178,205	178,205	177,478
0204 42 10	123,216	124,235	124,744	124,744	124,235
0204 42 30	193,625	195,226	196,026	196,026	195,226
0204 42 50	228,830	230,721	231,667	231,667	230,721
0204 42 90	228,830	230,721	231,667	231,667	230,721
0204 43 10	320,362	323,010	324,333	324,333	323,010
0204 43 90	320,362	323,010	324,333	324,333	323,010
0204 50 51	176,023	177,478	178,205	178,205	177,478
0204 50 53	123,216	124,235	124,744	124,744	124,235
0204 50 55	193,625	195,226	196,026	196,026	195,226
0204 50 59	228,830	230,721	231,667	231,667	230,721
0204 50 71	228,830	230,721	231,667	231,667	230,721
0204 50 79	320,362	323,010	324,333	324,333	323,010

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 457/93

of 26 February 1993

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 3774/92 ⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 1432/92 ⁽⁹⁾, as last amended by Regulation (EEC) No 3554/92 ⁽¹⁰⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 383, 29. 12. 1992, p. 48.

⁽⁹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽¹⁰⁾ OJ No L 358, 8. 12. 1992, p. 16.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 26 February 1993 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund (*)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 65,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	56,34 115,00
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6): a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	26,00 177,00 171,00

(*) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

COMMISSION REGULATION (EEC) No 458/93

of 26 February 1993

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1)(a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry ⁽⁵⁾, as last amended by Regulation (EEC) 464/91 ⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁷⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁸⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁹⁾, as last amended by Regulation (EEC) No 1525/92 ⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 160, 13. 6. 1992, p. 7.

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as last amended by Regulation (EEC) No 3534/92 ⁽²⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the

basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg ^(*) —
White sugar ^(**) :	38,06
Raw sugar:	35,01
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$38,06 \times \frac{S^{(1)}}{100}$ or
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses:	—
Isoglucose ^(?) :	38,06 ^(?)

(*) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

(**) The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92.

(1) 'S' represents in 100 kilograms of syrup

— the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,

— the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(?) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(?) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 459/93

of 26 February 1993

fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 674/92⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 3381/90⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector⁽⁷⁾, as last amended by Regulation (EEC) No 1309/92⁽⁸⁾, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁹⁾, as amended by Regulation (EEC) No 2026/83⁽¹⁰⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹¹⁾, as last amended by Regulation (EEC) No 1525/92⁽¹²⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽¹³⁾, it is necessary to differentiate the refund on goods falling within CN codes

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 139, 22. 5. 1992, p. 47.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 160, 13. 6. 1992, p. 7.

⁽¹³⁾ OJ No L 275, 29. 9. 1987, p. 36.

1902 11 00 and 1902 19 according to their destination ;

Whereas, for the application of Article 4 (2) (b) of Regulation (EEC) No 3035/80, it is necessary to differentiate the refunds ;

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as last amended by Regulation (EEC) No 3534/92 ⁽²⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro ; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3 ; whereas this should be taken into account when refunds are fixed ;

Whereas in particular the export refund for unprocessed starches falling within CN code 1108 is granted only if the dry matter content is at least 77 % in the case of potato starch and at least 84 % in the case of cereal starches ;

Whereas with regard to potatoes, only potato starches are subject to common organization of the market, consequently steps should be taken to specify the terms that these potato starches should meet in order to qualify for refunds ;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

1. The refund for starches and potato starch falling within CN code 1108 or products falling within Annex A to Regulation (EEC) No 2727/75 resulting from the processing of these starches and potato starch is granted only on production of a declaration from the suppliers of those products attesting that they have been directly produced from cereals, potatoes or rice excluding all use of subproducts obtained in the production of other agricultural products or goods.

The above declaration can be considered valid, until revocation, for all supplies from the same producer ; it shall be verified in accordance with the provisions of Article 8 (1) and the first indent of paragraph 2 of Regulation (EEC) No 3035/80.

2. Where the dry-extract content of potato starch assimilated to maize starch pursuant to Article 1 (2) (a) of Regulation (EEC) No 3035/80 is 80 % or higher, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 80 % the rate of the refund shall be the amount laid down in the Annex multiplied by 1/80th of the actual dry-extract percentage.

For all other starches with a dry-extract content of 87 % or more, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 87 % the amount of the refund shall be the rate laid down in the Annex multiplied by 1/87th of the actual dry-extract percentage.

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 358, 8. 12. 1992, p. 16.

3. For the purposes of paragraph 1 above, the dryextract content of starches shall be determined using the method applied to flour in Annex II to Commission Regulation (EEC) No 1908/84⁽¹⁾, as last amended by Regulation (EEC) No 2507/87⁽²⁾.

4. At the time of application for the export refund for the goods the applicant must declare the dry-extract

content of the starches concerned, unless this information has been recorded by the competent authorities referred to in Article 3 (2) of Regulation (EEC) No 3035/80, in accordance with the provisions of that paragraph.

Article 3

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 178, 5. 7. 1984, p. 22.

⁽²⁾ OJ No L 235, 20. 8. 1987, p. 10.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : — used unprocessed : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases — used in the form of : — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — hulled grains of CN code 1104 and starch of CN code 1108 — germ of CN code 1104 — gluten of CN code 1109 — other (except flours of CN code 1101 and groats and meal of CN code 1103)	 6,389 11,616 4,300 6,450 2,508 — 7,167
1001 90 99	Common wheat and meslin : — used unprocessed : — on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America — in all other cases — used in the form of : — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — hulled grains of CN code 1104 and starch of CN code 1108 — germ of CN code 1104 — gluten of CN code 1109 — other (except flours of CN code 1101, and groats and meal of CN code 1103)	 3,942 7,167 4,300 6,450 2,508 — 7,167
1002 00 00	Rye : — used unprocessed — used in the form of : — pellets of CN code 1103, or pearled grains of CN code 1104 — rolled or flaked grains and hulled grains of CN code 1104 — germ of CN code 1104 — starch of CN code 1108 19 90 — gluten of CN code 2303 10 90 — other (except flours of CN code 1102)	 9,624 5,774 8,661 3,055 8,729 — 9,624
1003 00 80	Barley : — used unprocessed — used in the form of : — flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 — pellets of CN code 1103 — germs of CN code 1104 — starch of CN code 1108 19 90 — gluten of CN code 2303 10 90 — other	 8,035 5,625 4,821 3,055 8,729 — 8,035

CN code	Description of products (*)	Rate of refund per 100 kg of basic product (°)
1004 00 00	Oats : — used unprocessed — used in the form of : — — pellets of CN code 1103, and pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	10,832 6,499 9,749 3,055 8,729 — 10,832
1005 90 00	Maize (Corn) : — used unprocessed — used in the form of : — — flours of CN codes 1102 20 10 and 1102 20 90 — — groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 — — pellets of CN code 1103 — — hulled or perled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 12 00 — — gluten of CN code 2303 10 11 — — other	8,729 6,110 6,983 5,237 7,856 3,055 8,729 3,491 8,729
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	21,229 22,010 22,010
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	27,573 34,096 34,096
1006 40 00	Broken rice : — used unprocessed — used in the form of : — — flour of CN code 1102 30, groats and meal or pellets of CN code 1103 — — flaked grains of CN 1104 19 91 — — starch of CN code 1108 19 10 — — other	8,636 8,636 5,182 8,636 —
1007 00 90	Sorghum	5,814
1101 00 00	Wheat or meslin flour : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 4,634 8,426
1102 10 00	Rye flour	19,231
1103 11 30	Durum wheat groats :	
1103 11 50	Durum wheat meal : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 9,902 18,004
1103 11 90	Common wheat groats and spelt : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 4,634 8,426

(*) The quantities of semi-processed products used must be multiplied, as the case may be by the coefficients shown in Annex I to Regulation (EEC) No 2744/75.

(°) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

COMMISSION REGULATION (EEC) No 460/93
of 26 February 1993
on the supply of milk products as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 1 000 tonnes of milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submissions of tenders; whereas, in order to avoid re-publication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A

1. **Operation Nos** ⁽¹⁾: 1473-1478/92
2. **Programme**: 1992
3. **Recipient** ⁽²⁾: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma (telex 626675 i wfp)
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Mozambique (A1), Mauritius (A2), Equatorial Guinea (A3), Morocco (A4, A5), Comoros (A6)
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: (see OJ No C 114, 29. 4. 1991, p. 1, I. B. 1.)
8. **Total quantity**: 1 000 tonnes
9. **Number of lots**: 1 in 6 parts (see Annex II)
10. **Packaging and marking**: see OJ No C 114, 29. 4. 1991, p. 1 (I. A. 2. 3, I. B. 2. and I. B. 3.) A1, A2, A4, A5: 20-foot containers — A6: ⁽⁶⁾
 Markings in English
 Supplementary markings: see Annex II
11. **Method of mobilization of product**: Community market
 The vitaminized skimmed-milk powder must be manufactured after the award of the tender.
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 5. 4. — 2. 5. 1993
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 15. 3. 1993
21. **A. In the case of a second invitation to tender**:
 (a) deadline for the submission of tenders: 12 noon (Brussels time) on 29. 3. 1993
 (b) period for making the goods available at the port of shipment: 19. 4. — 16. 5. 1993
 (c) deadline for the supply: —
 B. In the case of a third invitation to tender:
 (a) deadline for the submission of tenders: 12 noon (Brussels time) on 13. 4. 1993
 (b) period for making the goods available at the port of shipment: 3. — 30. 5. 1993
 (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽⁵⁾: Bureau de l'aide alimentaire, à l'attention Mr T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; (telex 22037 / 25670 AGREC B; telefax: (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** ⁽⁷⁾: refund applicable on 26. 2. 1993, fixed by Commission Regulation (EEC) No 158/93 (OJ No L 21, 29. 1. 1993, p. 22)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the accession compensatory amounts. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Article 8 to 12 of Commission Regulation (EEC) No 3819/92 (OJ No L 387, 31. 12. 1992, p. 17) shall not apply to this amount.

- (⁵) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
 - health certificate,
 - Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animal, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (⁶) The bags shall be stacked (max. 40) on wooden pallets (made of pine, fir or poplar wood) measuring not more than 1 200 × 1 400 mm, and with the following features:
 - four-way entry, non-reversible, with wings,
 - a top deck consisting of a minimum of seven planks measuring 100 mm in width and of a thickness of 22 mm,
 - a bottom deck consisting of three planks measuring 100 mm in width and of a thickness of 22 mm,
 - three bearers measuring 100 mm in width and of a thickness of 22 mm,
 - nine dowels: 100 × 100 × 78 mm minimum,
 - the palletized bags shall be covered by a shrink film of a thickness of at least 150 microns,
 - the whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II —
ANEXO II

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	Inscripciones complementarias
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Yderligere påskrifter
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Ergänzende Aufschriften
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Συμπληρωματικές ενδείξεις
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Supplementary markings
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Marquage complémentaire
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione, n.	Iscrizioni supplementari
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Bijkomende vermeldingen
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Ação n°	Inscrições complementares
A	1 000	A 1 : 263	1473/92	WFP / 0472100 / 0238203 / Maputo
		A 2 : 170	1474/92	WFP / 0051103 / Port-Louis
		A 3 : 15	1475/92	WFP / 0260203 / Bata
		A 4 : 311	1476/92	WFP / 0228803 / Casablanca
		A 5 : 208	1477/92	WFP / 0228803 / Tanger
		A 6 : 33	1478/92	WFP / 0254502 / Moroni

COMMISSION REGULATION (EEC) No 461/93

of 26 February 1993

laying down detailed rules for the Community scale for the classification of carcasses of ovine animals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989, on the common organization of the market in the sheepmeat and the goatmeat ⁽¹⁾ as last amended by Regulation (EEC) No 363/93 ⁽²⁾, and in particular Article 4 (5) thereof,

Having regard to Council Regulation (EEC) No 2137/92 of 23 July 1992 concerning the Community scale for the classification of carcasses of ovine animals and determining the Community standard quality of fresh or chilled sheep carcasses and extending Regulation (EEC) No 338/91 ⁽³⁾, and in particular Articles 2, 4 (3), 5, 6 and 7 (2) thereof,

Whereas Regulation (EEC) No 2137/92 provided for a Community-wide carcase classification standard with the object of improving market transparency in the sheepmeat sector; whereas detailed rules are required for the determination of market prices which are established on the basis of this classification standard; whereas provision should be made for the establishment of market prices at the appropriate point in the commercialization process; whereas this point should be at entry to the slaughterhouse; whereas, in order to ensure the uniform classification of the carcasses of ovine animals in the Community, it is necessary to make the definitions of conformation classes, fat classes and colour more precise;

Whereas a system of price reporting should be established on the basis of the classification made at slaughterhouses immediately after slaughtering; whereas this requires proper identification of carcasses;

Whereas classification should be carried out by sufficiently qualified staff; whereas the reliability of classification must be verified by effective checks to ensure it homogenous application;

Whereas Regulation (EEC) No 2137/92 provided that on-the-spot inspection is to be carried out by a Community inspection group, in order to ensure uniform application of the Community scale for classification in the Community;

Whereas it is necessary to lay down detailed rules for the composition of the group and implementation of the on-the-spot inspections;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

Article 1

1. The market price to be established on the basis of the Community scale for the classification of carcasses of ovine animals referred to in Article 7 (1) of Regulation (EEC) No 2137/92 shall be the price at entry to the slaughterhouse, net of value-added tax paid to the supplier for lamb of Community origin. This price shall be expressed per 100 kg carcase weight presented according to the reference presentation provided for in Article 2 of the Regulation weighed and classified on the hook at the slaughterhouse.

2. The weight to be taken into account shall be the hot weight of the carcase corrected to take account of weight loss on chilling. Member States shall inform the Commission of the corrective factors used.

3. In the case where the presentation of carcasses after weighing and classifying on the hook differs from the reference presentation, Member States shall adjust the weight of the carcase by the application of corrective factors provided for in Article 2 of Regulation (EEC) No 2137/92. Member States shall notify the Commission of the corrective factors used. However, for the purposes of categories A and B referred to in Annex III to the Regulation, Member States may report prices per 100 kg for the customary presentation of these carcasses. In this instance, Member States shall inform the Commission of the differences between this presentation and the reference presentation.

Article 2

1. Member States whose sheepmeat production exceeds 200 tonnes per year shall communicate to the Commission prior to the 15 March 1993 a confidential list of the slaughterhouses and/or other establishments participating for the establishment of prices according to the Community scale (hereinafter referred to as 'participating establishments') together with an indication of the approximate annual throughput of these participating establishments.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 214, 30. 7. 1992, p. 1.

2. Member States referred to in paragraph 1 shall communicate to the Commission each Thursday at the latest and for the first time on 8 April 1993 at the latest, the average price in national currency for each quality of lamb within the Community scales for all participation establishments recorded during the week preceding the week in which the information is given, together with an indication of the size of each quality. However, where a quality makes up less than 1 % of the total, prices need not to be reported. Member States shall also communicate to the Commission the average price on a weight basis for all classified lamb in each scale used for price reporting purposes.

However, Member States are authorized to subdivide price reported for each of the classes of conformation and degrees of fat cover provided for in the Annex on the basis of weight. The term 'quality' means the combination of class of conformation and of fat cover.

Article 3

The additional provisions referred to in Article 6 of Regulation (EEC) No 2137/92 shall be as listed in the Annex hereto for the classes of conformation and of fat cover. The meat colour, referred to in Annex III to Regulation (EEC) No 2137/92, shall be determined on the flank at the 'rectus abdominis' by reference to a standardized colour chart.

Article 4

1. Classification shall be made at the latest one hour after slaughtering.

2. The identification referred to in Article 4 (2) of Regulation (EEC) No 2137/92 of carcasses or half-carcasses classified according to the Community scale for the classification of the carcasses of ovine animals in participating establishments shall be carried out by means of a mark indicating the category and the class of conformation and fat cover.

This marking shall be carried out by stamping, using an indelible and non-toxic ink following a method approved by the competent national authorities.

Categories shall be designated as follows:

- L : carcasses of sheep under twelve months old (Lamb);
- S : carcasses of other sheep.

3. Member States may authorize replacement of the marking by the use of an unalterable and firmly attachable label.

Article 5

1. Member States shall ensure that classification is carried out by sufficiently qualified technicians. Member States shall determine such persons by means of a proce-

dure of agreement or by designating a body responsible for this purpose.

2. Classification in the participating establishments covered by Article 2 shall be checked on the spot without prior warning by a body designated by the Member State and independent of the participating establishment. Checks must be carried out at least once every three months in all participating establishments which operate classification and must relate to at least 50 carcasses selected at random.

However, where the body responsible for checks is the same as that responsible for classification or where it does not fall under the authority of a public body, the checks provided for in the first — subparagraph must be carried out under the physical supervision of a public body under the same conditions and at least once a year. The public body shall be informed regularly of the findings of the body responsible for checks.

Article 6

The Community inspection Group provided for in Article 5 of Regulation (EEC) No 2137/92 (hereinafter referred to as 'the Group') shall be responsible for carrying out on-the-spot inspections covering:

- (a) the application of the arrangements relating to the Community classification scale for ovine carcasses;
- (b) the establishment of market prices according to the classification scale.

Article 7

The Group shall be chaired by one of the Commission experts. Member States shall appoint experts on the basis of their independence and ability in matters of classification of carcasses and establishment of market prices.

Experts shall not under any circumstances use for personal purposes or divulge information obtained in connection with the work of the Group.

Article 8

1. On-the-spot inspections shall be carried out by a delegation of the Group limited to a maximum of nine members. For this purpose it shall be composed in accordance with the following rules:

- at least two Commission experts, one of whom shall act as chairman of the delegation,
- one expert of the Member State concerned,
- one expert of the Member State on whose territory the previous on-the-spot inspection was carried out,
- one expert of the Member State on whose territory a subsequent on-the-spot inspection will be carried out,
- at most three experts from other Member States.

2. The composition of the delegation for the first inspection shall be decided by the Commission.

Article 9

1. On-the-spot inspections shall be carried out at least every three years in each Member State and may where necessary be followed by supplementary visits. On such visits the size of the delegation may be reduced.

The programme of inspection visits shall be drawn up by the Commission after consulting the Member States. Representatives of the Member State visited may attend the inspections.

2. Each Member State shall organize the visits which are to be carried out on its territory according to the requirements defined by the Commission. To that end, the Member State shall forward, 30 days before the visit, the detailed programme of the proposed inspection visits to the Commission, which may request amendments to the programme.

3. The Commission shall inform Member States as far in advance of each visit as possible of the programme and the course thereof.

4. On completion of each visit, the members of the delegation and the representatives of the Member State visited shall meet to consider the results. The members of

the delegation shall then draw conclusions from the visit concerning the points referred to in Article 6.

5. The delegation chairman shall draw up a report containing details of the visit and the conclusion referred to in paragraph 4. The report shall be sent to the Commission and to all Member States as quickly as possible and in any event within 30 days of completion of the visit.

Article 10

Travel and subsistence expenses of members of the Group shall be borne by the Commission in accordance with the rules applicable to the reimbursement of travel and subsistence expenses of persons not connected with the Commission who are called upon by it to act as experts.

Article 11

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

1. Conformation

Development of carcase profiles, and, in particular the essential parts (hindquarter, back, shoulder).

Conformation class	Additional provisions
S Superior	Hindquarter: double muscled. Profiles extremely convex Back: extremely convex, extremely wide, extremely thick Shoulder: extremely convex and extremely thick
E Excellent	Hindquarter: very thick. Profiles very convex Back: very convex, very wide and very thick to the shoulder Shoulder: very convex and very thick
U Very good	Hindquarter: thick. Profiles convex Back: wide and thick to the shoulder Shoulder: thick and convex
R Good	Hindquarter: profiles mainly straight Back: thick but less wide to the shoulder Shoulder: good development, but less thick
O Fair	Hindquarter: profiles tending to slightly concave Back: lacking width and thickness Shoulder: tending to narrow. Lacking thickness
P Poor	Hindquarter: profiles concave to very concave Back: narrow and concave with bones apparent Shoulder: narrow, flat and bones apparent

2. Degree of fat cover

Amount of fat on the external and of the internal parts of the carcase.

Class of fat cover	Additional Provisions (1)		
1. Low	External	Traces of or no fat visible	
	Internal	Abdominal Thoracic	Traces of or no fat visible on kidneys Traces of or no fat visible between ribs
2. Slight	External	A slight layer of fat covers part of the carcase but may be less evident on the limbs	
	Internal	Abdominal Thoracic	Traces of fat or slight layer of fat envelops part of the kidneys Muscle clearly visible between ribs
3. Average	External	A light layer of fat covering most or all of the carcase. Slightly thickened fat zones of the base of the tail	
	Internal	Abdominal Thoracic	Light layer of fat envelops part or all of the kidneys Muscle still visible between ribs

Class of fat cover	Additional Provisions (1)		
4. High	External	A thick layer of fat covering most of all of the carcase but may be thinner on limbs and thickening on shoulders	
	Internal	Abdominal Thoracic	Kidney is enveloped in fat Muscle between ribs may be infiltrated with fat. Fat deposits may be visible on the ribs
5. Very high	External	Very thick fat cover Patches of fat sometimes visible	
	Internal	Abdominal Thoracic	Kidneys enveloped in thick layer of fat Muscle between ribs infiltrated with fat. Fat deposits visible on ribs.

(1) The additional provisions for the abdominal cavity do not apply for the purposes of Annex III to Regulation (EEC) No 2137/92.

COMMISSION REGULATION (EEC) No 462/93

of 26 February 1993

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2046/92⁽²⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 2903/89⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the preserving industry;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above

shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Council Regulation (EEC) No 2047/92⁽⁵⁾ set the rates of consumption aid applicable in Spain and Portugal;Whereas Council Regulation (EEC) No 3815/92⁽⁶⁾, on the application of the common intervention price for olive oil in Spain, lays down that the common intervention price shall apply in Spain from 1 January 1993;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of March and April 1993, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 88,46 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Portugal,
- ECU 43,00 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- ECU 84,42 per 100 kilograms for olive oil produced in the Community and utilized in Portugal,
- ECU 36,55 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 3.⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 9.

COMMISSION REGULATION (EEC) No 463/93

of 26 February 1993

altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 349/93 ⁽³⁾, as last amended by Regulation (EEC) No 410/93 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 349/93 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾ are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 349/93, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 41, 18. 2. 1993, p. 5.

⁽⁴⁾ OJ No L 47, 25. 2. 1993, p. 22.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 26 February 1993 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽²⁾
	— ECU/100 kg —
1701 11 90 100	35,01 ⁽¹⁾
1701 11 90 910	33,81 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	35,01 ⁽¹⁾
1701 12 90 910	33,81 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3806
	— ECU/100 kg —
1701 99 10 100	38,06
1701 99 10 910	38,06
1701 99 10 950	38,06
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3806

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

⁽³⁾ Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

COMMISSION REGULATION (EEC) No 464/93

of 26 February 1993

fixing the maximum buying-in price and the quantities of beef bought in for the first partial invitation to tender within the special intervention measures under Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 6a (4) thereof,

Having regard to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of general and special intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 417/93 ⁽⁴⁾, and in particular Article 11 thereof,

Whereas, pursuant to Regulation (EEC) No 859/89 an invitation to tender was opened by Article 1 (3) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EEC) No 379/93 ⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for each partial invitation to tender in the light of the tenders received;

Whereas, after the tenders submitted for the first partial invitation to tender have been examined and taking

account of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

For the first partial invitation to tender opened by Article 1 (3) of Regulation (EEC) No 1627/89:

- the maximum buying-in price is hereby fixed at ECU 255,65 per 100 kilograms of carcasses or half-carcasses,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 10 tonnes.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 48, 26. 2. 1993, p. 9.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 43, 20. 2. 1993, p. 21.

COMMISSION REGULATION (EEC) No 465/93

of 26 February 1993

fixing the maximum buying-in price and the quantities of beef bought in for the 86th partial invitation to tender within the general intervention measures under Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 6 (8) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of general and special intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 417/93 ⁽⁴⁾, an invitation to tender was opened by Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EEC) No 379/93 ⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted, without, however, exceeding the average national or regional market price plus the amount mentioned in paragraph 1; whereas, however, pursuant to Article 5 of that Regulation, where the intervention agencies in Member States are offered meat in quantities greater than they are able to take over forthwith, such intervention agencies may limit buying in to the quantities they can take over;

Whereas, after the tenders submitted for the 86th partial invitation to tender have been examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate depending on the

differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 11 (3) of Regulation (EEC) No 859/89;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

For the 86th partial invitation to tender opened by Article 1 (1) of Regulation (EEC) No 1627/89:

(a) for category A:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 252 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 6 240 tonnes; the quantities offered are hereby reduced by 30 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(b) for category C:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 243,39 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity accepted of carcasses or half-carcasses is hereby fixed at 8 404 tonnes; the quantities offered are hereby reduced by 50 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89.

Article 2

This Regulation shall enter into force on 1 March 1993.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 48, 26. 2. 1993, p. 9.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 43, 20. 2. 1993, p. 21.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 466/93
of 26 February 1993
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 29/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 429/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 29/93 to

the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 25 February 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 February 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 5, 9. 1. 1993, p. 14.

⁽⁵⁾ OJ No L 48, 26. 2. 1993, p. 44.

ANNEX

to the Commission Regulation of 26 February 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	37,47 ⁽¹⁾
1701 11 90	37,47 ⁽¹⁾
1701 12 10	37,47 ⁽¹⁾
1701 12 90	37,47 ⁽¹⁾
1701 91 00	44,71
1701 99 10	44,71
1701 99 90	44,71 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 467/93

of 26 February 1993

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the period 1 January to 30 June 1993 to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

Whereas Article 16 a (2) of Regulation (EEC) No 1785/81 stipulates that this reduced levy is to equal the intervention price for raw sugar as indicated in Article 3 (2) of that Regulation applicable when the sugar is imported, less an amount equal to the average of the spot prices, adjusted where necessary to the cif stage, quoted on the London market during the first 20 days of the month preceding that for which the reduced levy amount is set;

Whereas pursuant to Article 16 a (5) the reduced levy is to be set each month for the following month;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽³⁾ are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92 ⁽⁴⁾;

Whereas application of the abovementioned provisions gives a reduced rate import levy for the raw sugar concerned of the amount indicated in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 28,76 per 100 kg.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 17.

COMMISSION REGULATION (EEC) No 468/93

of 26 February 1993

fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EEC) No 219/93⁽²⁾;

Whereas Article 4 (1) of Regulation (EEC) No 3813/92 provides that the agricultural conversion rate for a floating currency shall be adjusted where the monetary gap with the representative market rate for the last reference period of a month exceeds two points; whereas, in that case, the new agricultural conversion rate is fixed so as to reduce that monetary gap by half;

Whereas the representative market rates are determined on the basis of reference periods determined in accordance with Commission Regulation (EEC) No 3819/92 of 28 December 1992 on detailed rules for determining and applying the agricultural conversion rates⁽³⁾;

Whereas, as a consequence of the exchange rates recorded during the reference period 21 to 28 February 1993, it is necessary to fix a new agricultural conversion rate for the pound sterling;

Whereas Article 11 (2) of Regulation (EEC) No 3819/92 provides that an agricultural conversion rate fixed in

advance shall be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the currency concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 11 (2) of Regulation (EEC) No 3819/92, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- or
- Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 26, 3. 2. 1993, p. 13.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 17.

*ANNEX I***Agricultural conversion rates**

ECU 1 =	48,5563	Belgian and Luxembourg francs
	8,97989	Danish kroner
	2,35418	German marks
	310,351	Greek drachmas
	166,075	Spanish pesetas
	7,89563	French francs
	0,957268	Irish punt
	2 207,67	Italian lire
	2,65256	Dutch guldens
	212,128	Portuguese escudos
	0,980715	Pound sterling

*ANNEX II***Agricultural conversion rates fixed in advance and adjusted**

Table A			Table B		
ECU 1 =	46,6888	Belgian and Luxembourg francs	ECU 1 =	50,5795	Belgian and Luxembourg francs
	8,63451	Danish kroner		9,35405	Danish kroner
	2,26363	German marks		2,45227	German marks
	298,414	Greek drachmas		323,282	Greek drachmas
	159,688	Spanish pesetas		172,995	Spanish pesetas
	7,59195	French francs		8,22461	French francs
	0,920450	Irish punt		0,997154	Irish punt
	2 122,76	Italian lire		2 299,66	Italian lire
	2,55054	Dutch guldens		2,76308	Dutch guldens
	203,969	Portuguese escudos		220,966	Portuguese escudos
	0,942995	Pound sterling		1,02158	Pound sterling

COMMISSION REGULATION (EEC) No 469/93**of 26 February 1993****altering the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular the fourth sentence of the second subparagraph of Article 16 (4) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 431/93 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 431/93 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 48, 26. 2. 1993, p. 48.

ANNEX

to the Commission Regulation of 26 February 1993 altering the corrective amount
applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8	6th period 9
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	01	0	0	0	- 100,00	- 100,00	—	—
1001 90 91 000	01	0	0	0	0	- 70,00	—	—
1001 90 99 000	01	0	0	0	0	- 70,00	—	—
1002 00 00 000	01	0	0	0	0	- 70,00	—	—
1003 00 10 000	01	0	0	0	- 70,00	- 70,00	—	—
1003 00 20 000	01	0	0	0	- 70,00	- 70,00	—	—
1003 00 80 000	01	0	0	0	- 70,00	- 70,00	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	03	0	0	0	- 45,00	- 45,00	—	—
	02	0	0	0	- 45,00	- 45,00	—	—
1101 00 00 130	01	0	0	0	- 45,00	- 45,00	—	—
1101 00 00 150	01	0	0	0	- 45,00	- 45,00	—	—
1101 00 00 170	01	0	0	0	- 45,00	- 45,00	—	—
1101 00 00 180	01	0	0	0	- 45,00	- 45,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 30 200	01	0	0	0	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 30 900	—	—	—	—	—	—	—	—
1103 11 50 200	01	0	0	0	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 50 400	01	0	0	0	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 50 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

- 01 all third countries,
- 02 other third countries,
- 03 Egypt and Yemen.

NB: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 February 1993

on Spain's request for adoption by the Commission of safeguard measures under Article 5 of Regulation (EEC) No 3577/92 against applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage)

(Only the Spanish text is authentic)

(93/125/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States⁽¹⁾, and in particular Article 5 (1) thereof, which sets out the circumstances under which a Member State may request the Commission to adopt safeguard measures in the event of serious disturbance of the internal transport market due to cabotage liberalization or in the case of an emergency,

Whereas the competitive position of the Spanish shipping industry is not at the level of that of several other shipping industries in the Community, the operating costs of which decreased because of the use of special registers which give more favourable fiscal and other treatment to ships particularly when operating outside home waters ;

Whereas Spain published on 25 November 1992 a new Law on Ports and Merchant creating a special register for vessels and shipping companies which will be open initially for vessels operating in international trade only ; whereas the average tonnage of the Spanish fleet opera-

ting in cabotage is small compared to the competitive fleets from other Member States, therefore, causing a cost disadvantage ; whereas the operating costs of Spanish vessels in Spanish waters can be adjusted only over a period of time given the need for further revision of applicable agreements and regulations, whereas for these reasons the likely appearance of ships registered in other Member States' special registers may pose a serious threat to the survival of Spanish operators in the cabotage market ;

Whereas Spain adopted on 23 December 1992 a ministerial order adopting unilateral safeguard measures on the basis of the last subparagraph of Article 5 (1) of Regulation (EEC) No 3577/92 consisting of the suspension of the application of the said Regulation in Spain for a period of three months ;

Whereas on the 8 January 1993 Spain formally communicated the adoption of the above measure and, on the basis of a study prepared by the Spanish authorities on the impact of an immediate liberalization of cabotage on the carriers directly involved, requested the Commission to grant a derogation of 12 months from the application of the said regulation for continental cabotage traffic ;

Whereas a meeting was organized by the Commission on the 20 January 1993 to consult other Member States on this request in accordance with Article 5 (1) of the above-mentioned Regulation ;

⁽¹⁾ OJ No L 364, 12. 12. 1992, p. 7.

Whereas the Commission considers that the situation described in the study cannot be considered as an emergency, since the financial stability or existence of a significant number of Spanish shipowners was not threatened within such a short period of time and therefore cannot justify the unilateral measure adopted by Spain;

Whereas a careful examination of the present situation and of the study presented by Spain gives, on the other hand, sufficient indication that a serious disturbance of the internal transport market is likely to occur in Spain if a certain period is not allowed for the effective implementation of the abovementioned agreements and regulations including the special register; whereas the market is such that there are a large number of ports with relatively small capacity and installations but that Spain's geographical position makes it an attractive market for cabotage on both Atlantic and Mediterranean routes; that a combination of these factors means that there is likely to be a further increase in the already existing serious excess of supply over demand which will pose a serious threat to the financial stability of the Spanish cabotage fleet; whereas, however, the new Spanish legislation is likely to begin to improve the competitive position of the Spanish fleet within the near future;

Whereas of goods from a port in another Member State or in a third country to a continental port in Spain where they are transhipped on a vessel of the same company to be carried on the other mainland ports in Spain or *vice versa* (feeder services) should, however, not benefit from any such derogation, in order not to hinder an optimal operation of deep sea services by Community carriers between Spain and other countries, and should be completely free for other Member States' shipowners as defined in Article 1 of Regulation (EEC) No 3577/92;

Whereas in the event that no Spanish vessel is available to carry out mainland cabotage services no serious disturbance can derive from the possibility for other Member States' vessel to carry out such services,

HAS ADOPTED THIS DECISION:

Article 1

The unilateral safeguard measure adopted by Spain on 23 December 1992, is hereby abrogated and the compe-

tent Spanish authorities shall take the necessary administrative measures to implement the abrogation.

Article 2

An exclusion of the Spanish mainland area during six months from the scope of Regulation (EEC) No 3577/92 is hereby granted to Spain as from the date of notification of the present Decision.

Article 3

The abovementioned exclusion shall not apply to feeder services.

Article 4

In the event that no Spanish vessel is available at a given moment to meet the demand for mainland cabotage transport services, the Spanish authorities will allow other Member States' vessels to offer such services.

Article 5

Two independent experts shall be appointed, one by the Commission and one by the Spanish authorities, in order to prepare a joint study on the possible economic impact on the Spanish shipping sector of the liberalization of mainland cabotage. On the basis of the result of this study which shall be presented to the Commission at least 45 working days before the expiry date of the six months' derogation, the Commission will, on request from Spain, review the situation.

Article 6

The present Decision is addressed to the Kingdom of Spain.

Done at Brussels, 17 February 1993.

For the Commission

Abel MATUTES

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 320/93 of 12 February 1993 on the supply of milk products as food aid

(Official Journal of the European Communities No L 37 of 13 February 1993)

On page 14 in point 10 of Annex I:

for: 'A2: 5 litre metal cans (without cardboard cross-pieces)',

read: 'A2: 5 kg metal cans (without cardboard cross-pieces).'
